

REMARKS

Applicants request reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-34 are pending in the present application. Claims 1, 22, 26, 27, and 31-34 are the independent claims.

Claims 22, 26, and 31-34 have been amended. No new matter is believed to have been added.

Initially, Applicants acknowledge with appreciation the indication that claims 1-21 and 27-30 are allowed and that claims 26, 32, and 33 recite patentable subject matter and would be allowable if rewritten in independent form to include all of the features of their respective base claims and any intervening claims. Applicants have not amended any of allowed claims 1-21 and 27-30 and respectfully submit that these claims should remain allowed. However, by the present Amendment, Applicants have rewritten claims 26, 32, and 33 in independent form and respectfully submit that amended claims 26, 32, and 33 are in condition for allowance.

Claims 22-25, 31, and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,969,832 (Nakanishi et al.) in view of U.S. Patent No. 6,547,400 (Yokoyama). This rejection is respectfully traversed.

Independent claim 22 recites, inter alia, separating emitted light beams into a plurality of color beams and scrolling the color beams by rotating an optical element having spiral lens cells.

Independent claim 31 recites, inter alia, a scrolling unit having spiral lens cells.

Independent claim 34 recites, inter alia, a rotatable scrolling unit which separates emitted light beams into a plurality of color beams and has spiral lens cells.

However, Applicants respectfully submit that neither Nakanishi et al. nor Yokoyama teach or suggest at least the aforementioned features of independent claims 22, 31, and 34. Thus, while not conceding the propriety of the asserted combination, the subject combination is likewise deficient.

The primary citation to Nakanishi et al. teaches rotating a first hologram device 4 and a second hologram device 5 about rotary mechanisms to direct divided lights onto a screen 10. (Nakanishi et al., FIG. 1, Col. 9, lines 8-42). However, FIGS. 1 and 3A of Nakanishi et al. show that these hologram devices do not include spiral lens cells. Thus, Nakanishi et al. does not meet at least the aforementioned features of independent claims 22, 31, and 34.

The secondary citation to Yokoyama is cited for its teaching of a plurality of light emitters. Applicants respectfully submit that Yokoyama adds nothing to the teachings of Nakanishi et al.

that would remedy the aforementioned deficiency.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 22, 31, and 34 under 35 U.S.C. § 103 are respectfully requested.

In view of the foregoing, Applicants respectfully submit that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicants submit that this Amendment After Final Rejection clearly places the subject application in condition for allowance. This Amendment was not earlier presented because Applicants believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of the instant Amendment as an earnest attempt to advance prosecution and reduce the number of issues is requested under 37 C.F.R. § 1.116.

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.


There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 2-3-05

By: 
Michael E. Kondoudis
Registration No. 42,758

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501